## UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: KRZYSZTOF SONTAG and : CHAPTER 13

PATRICIA ANN SONTAG

Debtors

:

JACK N. ZAHAROPOULOS

STANDING CHAPTER 13 TRUSTEE

Movant

:

VS.

:

KRZYSZTOF SONTAG and

PATRICIA ANN SONTAG

Respondents : CASE NO. 1-23-bk-00465

## TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 22nd day of June, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtors' plan for the following reason(s):

- 1. Failure to properly state the liquidation value in Section 1B of the plan.
- 2. Trustee further objects to debtors' plan subject to debtors providing to the Trustee a Business Debtor Certification and copies of all necessary and related documents which will enable the Trustee to file his Business Examination Report with the Court pursuant to §§ 1302(c), 1106(a)(3) and 1106(a)(4) of the Bankruptcy Code. More specifically, Trustee requires the submission of the following:
  - a. Certification of business debtor.
  - b. Insurance policies for:
    - a) Business liability
- 3. The debtors have not demonstrated that all tax returns have been filed as required by § 1325(a)(9). (2022 federal, state and local, per debtors' testimony at the creditors' meeting.)
- 4. Trustee avers that debtors' plan cannot be administered due to the lack of the following:
  - a. The debtors have not provided to the Trustee copies of 2022 Federal Income Tax returns as required by § 521(e)(2)(A).
  - b. Six-month Profit and Loss Statement for January through June, 2023.
  - c. Need credit report.

- 5. The Trustee provides notice to the Court as to the ineffectiveness of debtor' Chapter 13 Plan for the following reasons:
  - a. The plan incorrectly indicates that the debtors are under median.

WHEREFORE, Trustee alleges and avers that debtors' plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 (717) 566-6097

## **CERTIFICATE OF SERVICE**

AND NOW, this 30<sup>th</sup> day of June, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Gary Imblum, Esquire 4615 Derry Street Harrisburg, PA 17111

/s/Deborah A. DePalma
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee